

**THE  
IMPERIAL COUNTY**

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**CIVIL**

**GRAND**

**JURY**

**2007-2008 FINAL REPORT  
VOLUNTEER INSPECTION**

## **IMPERIAL COUNTY CIVIL GRAND JURY 2007-2008 FINAL REPORT**

### **SUBJECT OF INVESTIGATION**

Imperial County Clerk - Recorder- Registrar of Voters

### **REASON FOR INVESTIGATION**

The Registrar of Voters called the Foreman of the Civil Grand Jury and asked if Jury Members could be represented at the Clerk's Office on January 30th at 10:00 A.M. for a presentation.

### **BACKGROUND INFORMATION**

The Registrar of Voters invited a representative from the local Republican Central Committee, a representative from the local Democratic Committee, a citizen at large, two members of the Civil Grand Jury and a member of the local press to observe voting procedures and security measures that are planned for the upcoming elections in Imperial County.

The Registrar informed those in attendance that anyone in the county may arrange a tour of the Registrar's facility and receive an in-depth lecture about the voting process and the handling and counting of the ballots both before and after an election. They only have to call the office and schedule a visit. The demonstration took about two hours to witness and covered what takes place in the voting process and the security measures followed by the Registrar's Office.

The Registrar, her assistant, and two persons who operated the voting machines demonstrated the voting process including the opening and processing of some absentee ballots. The security was impressive. No one is allowed to enter the room or handle any of the equipment or forms involved in the voting process without at least two people present at all times. The voting machines and the cases in which they are placed to transport them to and from polling places have numbered seals that are recorded and kept on file. There are several of these seals that are connected with the process. Some must be broken in order for the machine to operate and then other numbered seals are attached when the voting is completed. There are seals on the cases, on the machines in several places, on the printers, and even on the printer cartridges.

For the upcoming election, there will be one voting machine at each polling place. However, the majority of the voting will be by paper ballot.

## **FINDINGS**

The Civil Grand Jury members appreciated the opportunity to learn about the voting process and the measures put in place by the Registrar's office to prepare for the upcoming elections. We commend the Registrar of Voters for taking this pro-active stance.

## **RESPONSE**

No response required.

FINAL REPORT

**THE  
IMPERIAL COUNTY**



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**CIVIL**

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**JURY**

**2007-2008 FINAL REPORT  
ADDITIONAL INFORMATION**

## NOTE TO RESPONDENTS

The legal requirements affecting respondents and responses to Grand Jury findings and recommendations are contained in the California Penal Code, Section 933.05.

For the assistance of all Respondents, Section 933.05 of the California Penal Code is summarized as follows. Any Respondent in doubt concerning these legal requirements should consult legal counsel prior to responding.

The responding person or entity must respond in one of two ways:

1. That you agree with the finding
2. That you disagree in whole or in part with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons for the disagreement.

Recommendations of the Grand Jury require action. The responding person or entity must report action on all recommendations in one of four ways:

1. The recommendation has not yet been implemented, with a summary of the implemented action.
2. The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
3. The recommendation requires further analysis. If a person or entity reports in this manner, the law requires a detailed explanation of the analysis or study must be submitted to the officer, director or governing body of the agency being investigated.
4. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

If either a finding or recommendation deals with budgetary or personnel matter of a County department headed by an elected officer, both the elected officer and the Board of Supervisors shall respond if the Grand Jury so requests. While the Board of Supervisors' response is somewhat limited, the response by the department head must address all aspects of the findings and recommendations.

Prior to the release or publication of the Grand Jury findings, the Grand Jury may request a personal appearance by the person or entity to discuss the proposed findings. Two working days prior to release or publication of the Grand Jury Final Report, the Grand Jury will provide a copy of the portion of the report to all affected agencies or persons. No officer, agency, department, or governing body of a public agency shall disclose the contents of the report prior to its release.

Section 933.05 of the California Penal Code, depending on the type of Respondent, provides for two different response times and to whom you must respond.

1. Public Agency: The governing body of any public agency must respond within ninety (90) days. The response must be addressed to the Presiding Judge of the Superior Court.

2. Elective Office or Agency Head: All elected officers or heads of agencies who are required to respond must do so within sixty (60) days, to the Presiding Judge of the Superior Court, with an information copy provided to the Board of Supervisors.

The Presiding Judge of the Imperial County Superior Court system is:

The Honorable Donal B. Donnelly  
Presiding Judge of the Superior Court  
County of Imperial  
939 West Main Street  
El Centro, CA 92243

Also, please send responses in the form of an original hard copy as well as digital copy on compact disk to the Imperial County Civil Grand Jury, addressed as follows:

Imperial County Civil Grand Jury  
P.O. Box 2011  
El Centro, CA 92244

**THE  
IMPERIAL COUNTY**

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**CIVIL**

**GRAND**

**JURY**

**2007-2008 FINAL REPORT  
2007-2008 RESPONSES**



# CITY OF HOLTVILLE

121 WEST FIFTH STREET

CIVIC CENTER • HOLTVILLE, CALIFORNIA 92250-1298 • (760) 356-2912

"THE CARROT CAPITAL OF THE WORLD"

October 30, 2007

Allen Earley, Foreman  
County of Imperial  
Civil Grand Jury  
P. O. Box 2011  
El Centro, CA 92243

Subject: Response to 2007-2008 Civil Grand Jury Report Concerning the City of Holtville

To Whom It May Concern:

This response is written with respect to the 2007-2008 Civil Grand Jury report concerning the City of Holtville. Specifically, the Grand Jury purported to respond to a complaint concerning "golf carts" in public streets within the City limits of Holtville, California. While the work of the Civil Grand Jury is appreciated, recognizing the limits of their investigative powers as contained in Penal Code § 925a, the report contains gross inaccuracies and appears to meddle in the internal policy matters of the City of Holtville. Statements in the report notwithstanding, it should be noted that not all City Council members were interviewed, nor was the City attorney.

The issue whether golf carts or low speed vehicles can be legally driven on the roads and highways of the state of California is not, in the City's estimation, an issue within the purview of a Civil Grand Jury. While the report uses the terms interchangeably, it is clear from a reading of the law that low speed vehicles and golf carts are not identical forms of transportation.

The second issue the Grand Jury purported to address was whether or not a city official directed the police department "not to write tickets to persons driving golf carts in city streets." This issue, as well, does not appear to be one that falls within the investigatory powers of the Grand Jury as outlined by statute.

The City strongly disagrees with the Grand Jury making a determination that the City Manager has created a "hostile work environment." This accusation is unfounded, undocumented and extremely reckless exposing not only the City of Holtville, but the County of Imperial to litigation defending this false statement.



## RESPONSE TO FINDINGS

The Grand Jury report infers that “golf carts” on city streets are a widespread problem in Holtville. The City believes that there may be 2 or 3 validly registered low speed vehicles used by their owner/operators from time to time within the City limits. It is worth noting that:

- The real conflict between the Department of Motor Vehicles and the California Highway Patrol regarding the licensing and registration of low speed vehicles does, in fact, mean that law enforcement should not issue citations for lack of license and registration.
- The “issue” was brought to the City Manager’s attention by a council member who inquired why warnings were being issued to operators of low speed vehicles regarding the lack of license and registration when those same vehicles were, in fact, licensed and registered with the DMV.
- Under the City Manager form of government, the City Manager has responsibility for directing the management and operation of all City departments on behalf of the City Council. With respect to low speed vehicles, the only directive given to the Chief of Police was that citations should not be issued for lack of a license and registration unless and until the CHP and DMV resolved the issue. The Chief of Police was further advised that nothing prevented the police from issuing citations for moving violations or equipment violation where appropriate. The Chief of Police was directed to concentrate on other pressing issues within the City of Holtville, and within the police department, rather than focusing on the licensing and registering issues for low speed vehicles. He was advised by the City Manager that such was a state issue, and the state agencies involved needed to fix the problem. Apparently the Chief of Police ignored or declined to follow the City Manager’s direction. No Police Officer jobs were threatened concerning the City Manager’s direction.
- The City Manager has no power to dissolve the police department or any other department within the City of Holtville. The present City Manager, as well as her predecessors, was directed by City Council to analyze the possibility of outsourcing law enforcement. This is a responsible and valid inquiry from a local agency faced with departmental budget and performance issues, and is not a proper area of inquiry for the grand jury.
- Under Council direction, the City Manager sets the agenda for each open and public meeting. If a department head, employee, or member of the public wants to request a matter be placed on the agenda for Council action, there is a process for so doing. The Chief of Police and local CHP officers did not follow that process and were advised that an unagendized presentation was not legally possible. No one, however, was prevented from speaking during the public comment portion of the Council meeting.

- Neither the City Manager nor any member of City government had direct contact with police officers regarding the “golf cart issue”. The only communication in that regard was from the City Manager to the Chief of Police, as previously described. No Police Officer’s jobs were threatened.

#### **ADDITIONAL CONCERNS**

- Under the City Manager form of government, the City Manager is solely responsible for hiring, promotion, and termination. As a practical matter, recommendations for hiring and promotion within the police department come directly from the Chief of Police. The City Manager has approved all requests for hiring and or promotion by the Chief of Police regardless of ethnicity. Additionally, police officers are statutorily protected by the Police Officers Bill of Rights, and are, as well, members of a recognized bargaining unit. There have been no complaints relative to hiring or promotion of any officer, regardless of ethnicity.
- With respect to the alleged conflict of interest, the report again illustrates a basic misunderstanding of the City Manager form of government. Under both state law as well as the Holtville Municipal Code, the City Manager is the Chief Executive Officer and directly responsible to the City Council for hiring and termination. While larger cities may enjoy a human resources department and department head, most small agencies have a personnel assistant (as does the City of Holtville) with the ultimate human resources decisions remaining vested in the City Manager as required by law. Thus, there is no real or apparent conflict of interest as expressed by the report, and no such concerns have ever been raised, formally or informally, by the police officers bargaining unit or any individual officer.
- Labor negotiations between the City of Holtville and the recognized bargaining unit for the police department “Holtville Police Officers Association” are stringently governed by state law in the conduct of negotiations. Typically, those negotiations concern wages, hours, and terms and conditions of employment. The so-called golf cart issue, has not, and will never be, an item of negotiation or concern between the City and the Holtville Police Officers Association.

#### **GRAND JURY REPORT CONCLUSIONS**

- The Grand Jury concludes that golf carts cannot be driven on city streets. This conclusion is contrary to California law, as there are several instances where golf carts, low speed vehicles and other electric or motor driven vehicles can legally be driven on the streets and highway of California.
- The Grand Jury appears to have overstepped its bounds by taking sides in an internal issue concerning City government policy. Furthermore, the Grand Jury makes a legal

conclusion that it is not qualified to make when it asserts that the City Manager has created a hostile work environment. This conclusion, as well as much of the report, is based upon false assumptions, incorrect facts, and inadequate investigation. It is worth reminding the Grand Jury of the following facts:

- No police officers were ever told not to enforce valid laws;
- No police officer jobs were ever threatened regarding the "golf cart issue";
- No one was prevented from speaking at an open public meeting;
- The Grand Jury is not competent to draw the conclusion that legal liability or increased liability results from the use of validly licensed and registered low speed vehicles on the streets and highways of California.

## RECOMMENDATIONS

Despite the inaccuracies and inadequacies of the Grand Jury report the City of Holtville will review the recommendations contained therein, will continue to monitor all aspects of City government in a manner consistent with sound government practice, and will take action consistent with their sound discretion as elected government officials. This will include stringent oversight by the City Manager of all City Departments, including the Police Department.

The 2007-2008 Civil Grand Jury report concerning the City of Holtville was reviewed by the Holtville City Council on October 29<sup>th</sup> and this response has the full support of all Council Members.

  
Colleen Ludwig, Mayor

  
Richard Layton, Mayor Pro-Tem

  
Doug Byram, Council Member

  
Pete Mellinger, Council Member

  
Bianca Padilla, Council Member

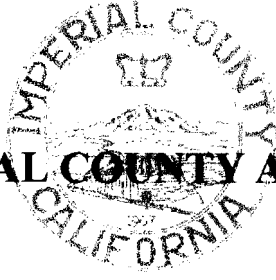
CC: County Counsel  
City Attorney  
City Manager

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## IMPERIAL COUNTY AIRPORT



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Airport Manager  
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Fax: (760) 355-2485

April 7, 2008

Imperial County Civil Grand Jury  
P.O. Box 2011  
El Centro, CA 92243

RE: Response to Report concerning Imperial County Airport

Grand Jury:

This letter in response to the January 7, 2008 Imperial County Civil Grand Jury report of the Imperial County Airport.

### **RESPONSE**

#### ***Background***

*The Imperial County Airport is located next to State Highway 86 just south of the City of Imperial. It is a publicly owned airport with commercial airlines providing passenger service daily to Yuma and Los Angeles. Commercial carriers such as FED-EX and United Parcel Service also operate out of the airport. According to the Federal Aviation Administration's (FAA) records, there are four runways operating at the airport and 86 aircraft based there including 66 single engine planes. There are about 73,000 air operations (take offs and landings) at the airport each year. The airport is administered by an Airport Director, an Assistant Director and a Manager. Of these persons, only the Airport Manager is located at the airport.*

#### **Response to Background Statement**

FED-EX and United Parcel Service are CARGO operators not commercial carriers. There are only TWO runways at Imperial County Airport. Airport administration staff, located at the airport also includes an airport Analyst and an Office Assistant.

## ***Findings***

### ***Physical Facilities***

#### ***Issue 1***

*It is not possible to expand the airport. The highway on the east, development on the south and on the west, and the City of Imperial water plant on the North prohibit making the airport larger.*

#### **Response**

While perhaps not practical, it is possible to expand the airport. In fact, the Federal Aviation Agency has recently requested the airport to evaluate extending the north – south runway as part of the one of the “next steps” to the “cargo airport feasibility study”.

#### ***Issue 2***

*The second floor of the airport terminal has not been used since 1994/95 because it is not in compliance with American Disabilities Act (ADA) requirements for handicapped persons. Neither access to the second floor nor to access to the restrooms meet ADA standards. Consequently, while the second floor has a number of potential uses, it has remained idle for over ten years.*

#### **Response**

Certain improvements must be made to the terminal before the second floor can be utilized. Design of the terminal building improvements including the second floor is on the airport’s capital improvement plan for FAA grant funding.

#### ***Issue 3***

*The runways are in poor condition.*

#### **Response**

On October 3, 2007 an inspection of the runways and taxiways was completed by the FAA Safety and Standards Branch. In a report received January 17, 2008 from that agency it was stated that “the runway and taxiway pavements appeared to be in good to fair condition”. The airport has developed a “signage and marking plan which will be submitted to FAA for funding. The airport is currently in the design phase of a “pavement preservation” plan which is scheduled for funding next federal fiscal year.

**Issue 4**

*The airport rents airplanes hangars to the public. The hangars are being used in some cases for purposes other than airplanes. One hangar is used to store a motor home and another is used to store a vehicle. One individual rents two and uses them as a repair garage for airplanes.*

**Response**

Use of airplane hangars is continuously monitored and inappropriate uses are abated as necessary. Please be advised that two hangars and two offices are rented to a certified aircraft mechanic for the purpose of performing maintenance service for based and transient aircraft. This is a historical and authorized use and there are no other facilities currently available for this enterprise.

**Issue 5**

*Over the years the locks have been changed on the airplane hangars, but management does not have keys to all of the locks. This poses a problem for airport fire officials who need to be able to inspect each hangar to determine what is stored inside, (gas, oil, paint, etc.) and to determine whether there is proper fire safety equipment in place including flammable lockers and fire extinguishers.*

**Response**

Airport management was not aware that "airport fire officials" desired access for inspection purposes. While access is limited pursuant to hangar rental agreements, every effort will be made to make arrangements for "airport fire officials" to inspect airport hangars upon request.

**Management:**

**Issue 6**

*The Airport Director wears many hats he is also the County Agricultural Commissioner, the Director of Weights and Measures, and the Imperial County Air Pollution Control Officer.*

**Response**

The Airport Director was appointed to the position by the Imperial County Board of Supervisors.

**Issue 7**

*There have been four airport managers in the past five years.*

**Response**

Correct. Two of these managers retired. One resigned for a better job and the fourth is currently employed.

**Issue 8**

*The County recently hired a new Airport Manager and gave him the charge to improve the look and image of the airport, with the goal of bringing additional scheduled air service to the airport.*

**Response**

The managers' primary responsibility is the safe operation of the airport. Safe operation includes not only physical safety and security but also interfacing with the tenets, four separate FAA agencies, the TSA, CalTrans Division of Aeronautics, the Imperial Police department and the Imperial County Fire Department.

**Issue 9**

*The current Airport Manager has enthusiastically accepted this challenge. He is working on streamlining maintenance services and improving the look of the airport and the quality of its service.*

**Response**

Noted.

**Issue 10**

*The Airport Manager does not have access to timely budgetary information about revenues and expenses. Finances are handled in El Centro by the Airport Director, Airport Assistant Director, and the Airport Financial Assistant. None of these persons is located at the airport. The Airport Manager has no idea what monies are being collected or what bills are being paid each month. This makes it very difficult to plan for and manage the facility.*

**Response**

The airport manager does have “access to timely budgetary information” as any and all information is available via a telephone call to appropriate staff. High speed computer access via a fiber optic line is currently under construction and expected to be completed the summer of 2008.

***Issue 11***

*The County Department of Maintenance sends two workers to the airport daily to maintain the airport facilities. The Department bill the airport for this service. These workers do not take direction from the Airport Manager with respect to maintaining airport facilities. Apparently, the workers are only responsive to the County Maintenance Department.*

**Response**

Two maintenance workers are assigned to the airport by County Facilities Management, they take direction from and are responsive to the airport manager.

***Issue 12***

*There is a demand for airplane hangars. There is a waiting list of 28 persons wanting to rent a hangar at the airport. There has not been a review of the hangar rental agreements for years and it is not known how comparable the rental rates are with hangars at similarly situated airports.*

**Response**

The “Rates and Charges Analysis” that was completed in 2001 showed that the hangar rents, as well as several other airport property rents, were below market. Most of the rents and charges were brought up to market via Board action in July of 2005 but the hangar rents remained slightly below market. In July 2007 the Board authorized the airport to have a certified appraiser update the “2001 Rates and Charges Analysis”. This update has been received and is currently under review.

***Finances***

***Issue 13***

*The monies collected by the airport are not put into the General Fund. The airport money is handled by the Imperial County Auditor/Controller, and is not mixed with other Imperial County funds.*

**Response**

Correct; as required by law.



***Issue 14***

*The airport receives some money to operate from federal grants that are based on passenger use of facility. These monies have been declining in recent years.*

**Response**

The airport receives about 85% of its total funding from Federal grants. The amount of annual grants is based on the number of "enplanements" in a calendar year and not on Passenger Facilities Charge (PFC). Enplanements include not only the number of commercial revenue generating outbound passengers but also the number of outbound passengers who fly on charter aircraft. PFC only includes commercial revenue passengers. If the enplanements are over 10,000 per year then the airport is eligible for one million dollars in grant funding if it is below that figure then it could be as low as \$150,000.00. There was only one year in the last 6 grant cycles that the airport has received less than one million dollars in grant funding. During that same period PFC funds have remained pretty much static. The airport's operating budget, which does not include grant funding, has increased over the past five years because it was recognized that there was a need for more personnel to manage the airport, to do more maintenance, manage the facilities, manage and secure grant funding, etc.

***Issue 15***

*The airport leases/rents, several acres of land at the airport, office space, T hangars, and outdoor hangars. There has not been a review of these leases/rental agreements for a number of years. Most are on a month-to-month basis. There is confusion in some cases as to what specific parts of the airport geography are being rented by various individuals. Rental property parcel boundary lines are not clear.*

**Response**

Existing leases values are reviewed updated and governed accordingly. The latest two leases (both done in 2006) were negotiated, approved and signed by the board at fair market value. Further, a lease that expired in December 2007 and assumed by the airport was renewed at fair market value. All recent leases have automatic CPI escalators written in. Airport staff has been directed to develop a system by which these leases can be reviewed and adjusted on an annual basis.

All terminal office rents, excluding the airline counter and the auto rental counters (these are leases), are set according to the "rental and landing fee schedule" adopted by the BOS in July of 2005. These fees were derived from the Rates and Charges Analysis done in 2001 and adjusted by adding a CPI escalator.

There are three “legacy” leases at the airport that were approved by different Boards at different times. It was recognized early on (shortly after assuming responsibility of Director) that there were significant boundary errors when maps of these three leases were compared. As such a survey was commissioned and a property line map developed that best reflected what the airport believed was a fair representation of the property lines between leases. One of the lessees property lines was reconciled as part of their lease renewal. The airport is currently in final negotiations with another of the lease holders to adjust their boundaries. Once all of these boundaries have been adjusted and accepted by the lessees the airport will do “record of survey” for each lease to memorialize their property lines.

***Issue 16***

*The county has contracted with a firm to survey the airport several months ago so that areas can be identified. The Airport Director is waiting for the report.*

**Response**

The survey was last updated on August 2005 and is currently undergoing further updating. See response to Issue 15.

***Issue 17***

*A new lease document is being drafted, and all who lease/rent land from the airport will be signing a new lease very soon.*

**Response**

Noted.

***Issue 18***

*Interviews suggest that the Imperial County Board of Supervisors is not enthusiastic about investing money in the existing airport. Supervisors would prefer to see a cargo airport established in the county and think that this would be a wiser investment.*

**Response**

The record of the Board of Supervisors speaks for itself, but it is understood that the construction of a new cargo airport is strongly supported by the county Board and airport management. It must be kept in mind that it will take several years to realize this goal. In the mean time the current airport must be maintained in a safe

and operational manner to accommodate commercial and cargo operations, general aviation and law enforcement.

## **CONCLUSIONS**

### ***Issue 19***

*Based on the findings from the interviews and tour, the Civil Grand Jury Investigative Committee arrived at a number of conclusions. Among them is that the airport has been badly neglected. It is in need of a lot of maintenance and improvements that have been known about for years. At a time when the airport appears to have great needs, it appears to be receiving very little attention from those who are managing it. The excessively high turnover in the Airport Manager position appears to be a reflection of the problems with the management of the airport operation. The current Airport Manager appears to be a competent and conscientious employee who is capable of maintaining the airport and making it grow and become more profitable. However, the Committee found a number of circumstances that appear to complicate the efforts of the Airport Manager and make it difficult to perform his job. Among these is a lack of communication and cooperation between the Airport Director, the Airport Assistant Director and the Airport Manager. While the Airport Manager seems to have much responsibility, he appears to have little authority to carry out his job responsibilities. He lacks timely budgetary information and has limited interaction with the Airport Financial Assistant who is located across town. He has limited or no authority to direct grounds maintenance workers.*

### **Response**

*Conclusion – Issue 19 is disputed.* While the airport does need maintenance and improvements these activities are governed by available funding and are being addressed on a priority basis. Stating that the airport receives very little attention is unsupportable.

Having two managers retire and the third leaving for personal reasons certainly doesn't constitute "excessive". Further, the nature of the noted "management problems" are unclear and thus cannot be responded to.

Managing an airport, particularly one that has commercial service, is complex, extremely technical and sometimes tedious. The airport has to answer to several entities including four separate FAA divisions, the TSA, and CalTrans. Added to the mix are airport tenets, local government and airport neighbors. Notwithstanding the airport is continually striving to increase performance levels.

**Issue 20**

*The state of the lease / rental agreements for airport grounds and facilities is chaotic. While the Airport Director is working on it, this situation is likely to have already cost the airport considerable revenue. The lack of information about competitive hangar rental rates and no review of existing rental agreements for years are also likely to have cost the airport revenue. Importantly, there are also several potential safety problems that need to be addressed, including the lack access to hangars by fire officials, appropriate use of hangars, materials stored in hangars, and the availability of appropriate fire safety equipment.*

**Response**

Noted. Leases are reviewed and adjusted when appropriate – generally governed by the terms and conditions of the lease. With the receipt of the new Rates and Charges Analysis the airport will propose to the BOS a new “Rent and Fee Schedule”.

This is the first time the airport has been notified by the fire dept that they wanted access to the hangers to inspect for improper storage of flammable materials and proper fire safety equipment. Within the confines of the law, every effort will be made to make arrangements for “airport fire officials” to inspect airport hangars upon request.

**RECOMMENDATIONS**

*The Imperial County Civil Grand Jury makes the following recommendations:*

**Issue 21**

*The management of the Imperial Count Airport should be examined to improve its productivity and functioning. Consideration should be given to reorganizing the existing management structure to ensure that the many outstanding issues and problems identified above in this report are addressed in a timely fashion, and to enable the Airport Manager to perform his duties in a more efficient and effective manner. The Civil Grand Jury is concerned that part of the airport's neglect and management difficulties arise from (1) the Airport Director having too many roles to play and (2) not enough delegation of authority within the agency. Lines of authority and responsibility appear to be problematic. Given the scope of the problems at the airport and the need for them to be addressed in a timely manner, the Civil Grand Jury recommends that the Imperial County Board of Supervisors consider the many jobs that the Airport Director is already responsible for and consider allocating airport direction responsibilities differently or elsewhere so the airport can function more productively in the future.*

**Response**

It is believed that the current organizational structure is functionally quite well and that reorganization is not necessary. However, the Grand Jury's recommendation will be taken under advisement.

Please remember that after many years of operation as a general aviation airport the events of 9-11 and the certification of the airport as a Commercial Airport Operator, the county has had to make many changes in the way the airport is managed including interacting with the TSA, FAA, and CalTrans Division of Aeronautics.

***Issue 22***

*A better system of communication should be developed within the Imperial County Airport chain of command.*

**Response**

As with any new hire and particularly a managerial position, communications will take time to evolve. After 6 months in the Airport Managers position the communications within the chain of command has improved considerably. The addition of the Asst. Airport Director in September 2007 was designed to enhance the communications between the Airport Manager and the Director.

***Issue 23***

*Annual budget and monthly revenue and expenditure information should be provided to the Airport Manager in a timely fashion.*

**Response**

Annual budget and monthly revenue and expenditure information is available to the Airport Manager in a timely fashion. A fiber optic line is scheduled for installation to enhance information access. Installation is scheduled to be completed summer of 2008.

***Issue 24***

*Consideration should be given to assigning the Airport Manager authority over the activities of the crew from Imperial County Department of Maintenance.*

**Response**

The airport manager currently has the ability to direct the activities of the two county maintenance personnel assigned to the airport.

***Issue 25***

*The review of present lease / rental agreements, the competitive pricing of facilities and services, the survey of property boundaries, and the execution of new lease / rental agreements should be completed as quickly as possible to ensure that the airport is receiving the revenue that it is capable of generating.*

**Response**

In July 2007 the Board authorized the airport to have a certified appraiser update the "Rates and Charges Analysis". This update has been received and is currently under review. After evaluation the airport will make a recommendation to the Board for adjusting the rents. Lease rates will be adjusted when legally possible.

***Issue 26***

*The alternative uses of the second floor of the airport terminal and their revenue generating capacities should be evaluated with respect to the cost of bringing this portion of the terminal up to ADA standards.*

**Response**

The second floor of the terminal is unavailable for use because of access issues. A cost benefit analysis is currently underway to determine if updating the second floor is fiscally prudent.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen Birdsall", with a stylized, looping flourish extending from the end.

Stephen Birdsall  
Airport Director

cc Board of Supervisors  
CEO  
County Counsel



# **CITY OF CALEXICO**

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## **FIRE DEPARTMENT**

430 E. 5th Street  
Calexico, CA 92231  
Tel.: (760) 768-2150  
Fax.: (760) 768-2153  
[www.calexico.ca.gov](http://www.calexico.ca.gov)

Imperial County Civil Grand Jury  
939 West Main Street  
El Centro, CA 92243

April 7, 2008

**Subject:        Response to the Grand Jury Findings:**

In February of this year the City of Calexico appointed me as its permanent fire chief, after serving as the Interim Fire Chief since April 2007. As a result of this appointment, the department will realize additional promotions to fill vacancies among the supervisory ranks.

The city is continually striving to increase the staffing levels of its suppression force to achieve the nationally recommended ratio of firefighters per 1000 residents. Based on the recommended ratio of 1.0-1.5 firefighters per 1000 residents, the city would be required to increase its staffing level by 10-15 personnel. Recognizing the financial status of the city, it would be financially unfeasible to hire any additional personnel this fiscal year. It continues to be the recommendation of this administration that the highest priority be given to increasing the staffing level of our fire suppression staff as the financial status of the city improves.

As the city expands to its northern boundary, with mixed use industrial and commercial areas and additional residential developments, a fourth station may conceivably be in the works for the area along the Jasper Corridor. This northern most region of the city will potentially host a casino, Target retail store, and numerous master planned residential developments.

City management and staff have been working on securing property for a future fire station to be located in the north-east portion of the city. A community facilities district has been established to help fund this specific project. The city has recognized the immediate need for additional fire resources in the area and is working diligently to facilitate that need. In the mean time, the fire department is working on establishing a Reserve Firefighter Program and beginning to prepare for future growth with improving its fleet of firefighting equipment and rehabilitating its existing fleet.

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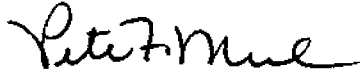
*Viva Calexico!*

Items of misinformation that require correction:

- The reorganization proposed to the city included the addition of two battalion chiefs, not three.
- The interim has 18 years of experience in the fire service, the last 15 with the City of Callexico.

Feel free to contact me if you have any further questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Peter F. Mercado". The signature is fluid and cursive, with the first name "Peter" and last name "Mercado" clearly distinguishable.

Peter F. Mercado  
Fire Chief